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ATTORNEY FOR DEFENDANT  
CHARLEY STEPHENSON

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CR.-S-04-0406
	)	
PLAINTIFF,	)	<b>STIPULATION AND ORDER</b>
	)	<b>TO CONTINUE STATUS CONFERENCE</b>
v.	)	<b>TO MONDAY JULY 24, 2006, AT</b>
	)	<b>9:30 A.M.</b>
CHARLEY STEPHENSON, et al.,	)	
	)	
	)	
DEFENDANTS	)	

Plaintiff United States of America, by its counsel, Assistant United States Attorney, Ms. LAURA L. FERRIS, for KYMBERLY SMITH, and defendants JASON WILLIAM THIBEAU by his counsel, Ms. Mary French, and CHARLEY STEPHENSON, by his counsel, James R. Greiner, hereby agree and stipulate that the status conference set for Monday, July 17, 2006, at 9:30 a.m., in Courtroom #1 before the Honorable District Court Judge FRANK C. DAMRELL, Jr., can be continued to Monday, July 24, 2006, at 9:30 a.m., in Courtroom #1, before the Honorable District Court Judge FRANK C. DAMRELL, Jr..

The reason for the extension of time is as follows: The parties have been diligently working towards a plea agreement in this case. The government had proposed a plea agreement that the defendants reviewed. To ensure the plea agreement was accurate and correct the defendants

1 requested, and the government recently has provided, the drug laboratory results regarding the  
2 weights of the drugs involved in this case. This is a critical part of the analysis for all parties as it  
3 specifically relates to calculations, including those of the advisory guidelines, which materially effect  
4 the negotiations in this case. Once again, the parties are involved in good faith negotiations working  
5 diligently toward a resolution in the matter. The parties are in the middle are working through and  
6 agreeing on the language in the plea agreement based upon all aspects of the case, including but not  
7 limited to the amount of drugs in the case. This is a critical area of the agreement and the parties are  
8 exercising due diligence and reflection to ensure that the plea agreement is correct. The government  
9 has no objection to the requested continuance.

10 All parties agree and stipulate that time under both the Speedy Trial Act and under the Sixth  
11 Amendment of the United States Constitution has been agreed and stipulated to be excluded up to  
12 the current status conference date of July 17, 2006, and all parties agree and stipulate that time can  
13 be excluded under both the Speedy Trial Act and under the Sixth Amendment of the United States  
14 Constitution to and including Monday, July 24, 2006, due to the following reasons: 1-investigation  
15 by all parties, and 2- preparation of all parties under local code T-4 and under Title 18 U.S.C. section  
16 3161(h)(8)(B)(iv). All parties agree and stipulate that this Court can find that time under both, the  
17 Speedy Trial Act (Title 18 U.S.C. section 3161) and under the Sixth Amendment of the United  
18 States Constitution, continue to be excluded under both local code T-4 and Title 18 U.S.C. section  
19 3161(h)(8)(B)(iv) due to investigation by all parties and preparation of all parties to the new status  
20 conference date of Monday, July 24, 2006.

21 Counsel for defendant Stephenson has called and talked with the supervisor for counsel for  
22 the government, Ms. Smith, Ms. Laura Ferris, and co-defense counsel, Ms. French, and all of the  
23 dates and times are agreeable with both counsel and both counsel gave authority for counsel to sign  
24 on their behalf. Counsel for the defense has cleared the date and time with the Court's Courtroom  
25 Deputy.

Respectfully submitted,

McGREGOR W. SCOTT  
UNITED STATES ATTORNEY

DATED: 7-14-06

/s/ KYMBERLY SMITH  
With telephone authorization by Ms. Laura L. Ferris, AUSA  
KYMBERLY SMITH  
ASSISTANT UNITED STATES ATTORNEY  
ATTORNEY FOR THE PLAINTIFF

DATED: 7-14-06

/s/ MARY FRENCH by JAMES R. GREINER  
With telephone authorization by Ms. French

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MARY FRENCH  
ATTORNEY FOR DEFENDANT THIBEAU

DATED: 7-14-06

/s/ JAMES R. GREINER

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JAMES R. GREINER  
ATTORNEY FOR DEFENDANT STEPHENSON

**ORDER**

**IT IS SO ORDERED.**

DATED: July 17 2006.

/s/ Frank C. Damrell Jr.  
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**HONORABLE FRANK C. DAMRELL, JR.**  
**UNITED STATES DISTRICT COURT JUDGE**